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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Joint written statement* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination, the Arab Organization for Human Rights and IUS PRIMI VIRI International Association, non-governmental organizations in special consultative status, and International Educational Development, Inc. and World Peace Council, non-governmental organizations on the roster

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Children and Armed Conflict in Iraq*

Introduction

The conflict in Iraq is one of the largest conflicts ever with a direct influence on the population. The so-called 'war on terror' is conducted in indiscriminate and brutal ways, resulting in excessive suffering by the population. The imperative of the Iraqi government, supported by the pro-governmental militias and international coalitions, worsens the situation on the ground by allowing security forces and militias to commit brutal abuses. Consequently, the human rights situation in Iraq has been dramatically aggravated over the past few years. As always, civilians are overly affected by the conflict. Moreover, in Iraq children have a lot to endure.

Indiscriminate bombardments and attacks on civilian-inhabited areas, hospitals and schools have a direct impact on children that hinders their development. Children are forced to endure countless burdens such as – but not limited too –; child labor, undernourishment, lack of access to clean water, lack of education, children getting separated from their families or have become orphans, abduction and forced recruitment for combat.

The goal of this written statement is to address the impact of war on children in general and to indicate the specific issue of children in (training for) armed combat. The focus lays on the situation in Iraq; however, children living in areas of armed conflict are most likely affected by the same problems.

The impact of war on terrorism on children

Supported by the United States of America–led coalition, the Iraqi security forces are fighting ISIS in Iraq. This 'war on terrorism' is fought in an indiscriminate way, which results in a complete destruction of the country and losses of thousands of innocent civilians.

The careless ways in which both Fallujah and Mosul were 'liberated' led to a total demolition of both cities and the loss of too many innocent Iraqi civilians, who were indiscriminately killed. The types of weapons used in the operations in Fallujah and Mosul were clearly disproportionate in terms of use, methodology and scale. For instance, the United States of America–led coalition air forces conducted over 2000 airstrikes over Mosul, even though the city was still inhabited by many civilians because the Prime Minister asked inhabitants not to leave the city. As a result of bombardment of this caliber many houses were destroyed, which left thousands of civilians and orphan children without a home.

The United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, stated on the 11th of July 2017 that ISIL was responsible for serious and systematic violations of international humanitarian law and gross abuses and violations of human rights and that these acts have left deep scars on Iraqi society. In addition, it should be noted that further grave and systematic violations, also affecting children, have been committed by the International Coalition, led by the United States, and the Iraqi forces including heinous crimes committed by Al-Hashd Al-Sha'bi militias.

The children who survive these kinds of horrible events will indeed be scared for life. The city they once knew exists no longer. Many of the children who fled the violence are severely distressed and need care to help them cope with the trauma they have experienced. Survivors lack the most basic essential requirements for their bare humanitarian needs and have limited shelter, which the Iraqi government is obliged to provide. Moreover, sanitary and health conditions in the available shelters are terribly poor. Children who did survive these attacks can no longer enjoy education, because

their schools are destroyed. These children, who are not attending school, would be harder to protect from abduction, recruitment into militias and sexual and economic exploitation.1
Children are not receiving the needed care from the various governmental institutions, even though they are obliged to provide these rescue responses. It becomes more than clear that the international mechanisms to prevent children from being affected and involved in fighting have failed. An effort must be made to ensure safety and respect of the main international legal standards in place, ratified by the Republic of Iraq, to protect children.

Children in armed training

It is well known that ISIS does not hesitate to put children into combat roles. Children who are not used as child soldiers by ISIS are also likely to witness traumatizing events, getting tortured, or even killed. The international community is appalled by these grave violations and strongly condemns abuses committed by ISIS, which should be investigated to hold accountable the perpetrators of such crimes.

On the other hand, similar and ongoing cases of recruitment to train children for armed combat by Iraqi forces are occurring too. The Popular Mobilization Forces (PMF) was included on the list, assembled by the Secretary-General, of parties that commit grave violations affecting children in situations of armed conflict.2 The list indicates that the PMF recruit children for combat. This list fails to describe how the PMF have used torturing techniques in order to gain information from children and make them fight during combat. Furthermore, it is striking that the PMF were indicated as non-state actors, while in fact these forces are recognized by the Iraqi authorities as a legal and separate military corps.

Even political parties in Iraq are involved in the recruitment of children for combat and training camps. The Islamic Supreme Council of Iraq (ISCI) is one of the leading parties in the country, with thirty-one members in the parliament and four ministers in the government. This political party advertised camps to train young children for armed combat, knowing that the government they are part of has obligations under international law to protect children against armed conflicts. These recruitments count as grave violations of the country's obligations under international law.

The ISCI has set up a training camp for children in the Imam Ali Stadium in Najaf province to teach them how to use light and medium weapons. The ISCI recruits children for military training by publicly advertising to join these camps in the streets and inviting children to register their names. The pro-governmental militias are even coercing some families to send their children to the training camps to be ready for combat. Since 2014 these armed groups have been recruiting hundreds of children while enjoying total impunity.

Fearing for repercussions at the hands of the militias associated to the ISCI, parents cannot prevent their children from joining the trainings. Due to the subtle coercion imposed on the parents and the inability of children to realize the gravity and the consequences of the situation, the training advertised by the ISCI may amount to forcible recruitment for combat. Children as young as eight-year-old are recruited. Forcing young children to undergo military training inevitably has a devastating effect both on them and on the society at large.

Children who are exposed to traumatizing events occurring during armed conflict are often unable to erase memories of these experiences. Simply witnessing warfare can make a profound impact on a child's mental well-being, and this effect is amplified when the child is a target of torture, or when he or she is forced to participate in (training for) combat. As with any society, the future of Iraq rests on the shoulders of its youth. It is therefore of the utmost importance that Iraqi children are protected from armed battle and active combat. Counterintuitively, political parties

1 UN OCHA, 'Children are not a target', https://www.unocha.org/story/children-are-notatarget.
2 Report of the Security-General, 'Children in armed conflict', A/72/236 – S/2017/821.

represented in the seated Iraqi government endorse and organize combat trainings involving children. This same government, and the parties representing the state body, should instead stand actively and vehemently against youth participation in warfare.
The violations and abuses committed by other parties, such as the so called Popular Mobilization Forces and Islamic Supreme Council of Iraq should be investigated as well.

Intervention is urgently needed by the U.N., as well as, effective investigative measures to strengthen and improve the response of the international community to prosecute the people responsible for these horrible crimes.

Recommendations

We, NGOs signatories to this statement recommend to the United Nations and all its relevant bodies to:

- Ensure the promotion and protection of the rights of children, in full compliance with international legal standards and to exert the necessary pressure on Member States and opposition groups to take immediate action to stop current violations
- Call on Member States to prosecute perpetrators of violations against children, to set up specific child protection provisions, and to allocate the adequate resources to reintegrate children, with a specific attention for psychological support
- Call on all parties to the conflict to ensure the protection of civilians, and to avoid indiscriminate attacks against civilian facilities
- Urge the Iraqi government to immediately halt the affiliation of children with terrorist militia groups and stop all forms of participation of children in armed conflict
- Urge the UN Office in Iraq to investigate the recruitment of children for training camps organized by the various parties to the conflict.

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*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, The Brussells Tribunal, Euro-Mediterranean Human Rights Monitor, Association of Humanitarian Lawyers (AHL), The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, International Anti-Occupation Network (IAON), NGO(s) without consultative status, also share the views expressed in this statement.